UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA	)	
	)	Case No. 1:11-cr-73
v.	)	
	)	COLLIER / LEE
MITCHELL DIAZ JIMERANES	)	

O R D E R

On February 10, 2012, Magistrate Judge Susan K. Lee filed a report and recommendation recommending the Court: (1) grant Defendant's motion to withdraw his not guilty plea to Counts One and Twenty-One of the twenty-one-count Indictment; (2) accept Defendant's plea of guilty to Counts One and Twenty-One of the Indictment; (3) adjudicate Defendant guilty of the charges set forth in Counts One and Twenty-One of the Indictment; (4) defer a decision on whether to accept the plea agreement until sentencing; and (5) find Defendant shall remain in custody until sentencing in this matter (Court File No. 162). Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Court File No. 162) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

(1) Defendant's motion to withdraw his not guilty plea to Counts One and Twenty-One of the Indictment is **GRANTED**;

(2) Defendant's plea of guilty to Counts One and Twenty-One of the Indictment is **ACCEPTED**;

(3) Defendant is hereby **ADJUDGED** guilty of the charges set forth in Counts One and Twenty-One of the Indictment;

(4) A decision on whether to accept the plea agreement is **DEFERRED** until sentencing; and

(5) Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place on **Thursday, June 7, 2012 at 2:00 p.m. [EASTERN]** before the Honorable Curtis L. Collier.

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE